

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
GUANGFU CHEN, et al.,  
:

Plaintiff,  
:

-v-  
:

MATSU FUSION RESTAURANT, INC., et al.,  
:

Defendants.  
:  
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GUANGFU CHEN, et al.,  
:

Plaintiffs,  
:

-v-  
:

HIUYIN LAM,  
:

Defendant.  
:  
----- X

19-CV-11895 (JMF)

21-CV-4757 (JMF)

CONSOLIDATION  
ORDER

JESSE M. FURMAN, United States District Judge:

On June 1, 2021, the Court directed counsel in the above captioned cases to submit a joint letter indicating whether the two cases should be consolidated. *See* 19-CV-11895, ECF No. 96; 21-CV-4757, ECF No. 16. On July 12, 2021, counsel in both cases submitted letters indicating that the parties believe consolidation to be appropriate due to the similarity of the claims. *See* 19-CV-11895, ECF No. 98; 21-CV-4757, ECF No. 20. Accordingly, the cases are hereby CONSOLIDATED. All future filings shall be on the 19-CV-11895 docket.

Separately, the Court notes that in the same letters, the parties raised a dispute as to service on Defendant Huiyin Lam. Plaintiffs propose serving Defendant Lam “by mail to her address” or through service on counsel for certain 19-CV-11895 Defendants. 19-CV-11895,


ECF No. 98. To the extent that Plaintiffs seek to follow the procedures in Section 308 of the New York Civil Practice Law and Rules, the Federal Rules allow them to do so. *See* Fed. R. Civ. P. 4(e)(1). (The Court notes that Rule 4(i) of the Federal Rules of Civil Procedure, which Plaintiffs invoke, *see* 19-CV-11895, ECF No. 98, is clearly inapplicable.) If Plaintiffs seek leave to serve Defendant Lam by service on counsel, they should file a letter-motion in accordance with Paragraph 3(A) of the Court's Individual Rules and Practices, supported by a citation to appropriate authority. *See, e.g., Yaxin Jing v. Angel Tips, Inc.*, No. 11-CV-5073 (RRM) (JMA), 2013 WL 950585, at \*3 n.1 (E.D.N.Y. Mar. 11, 2013).

Additionally, to the extent the parties seek to alter the discovery deadlines set forth in the Case Management Plan in place in 19-CV-11895, ECF No. 85, they should file a proposed revised Case Management Plan, available at <https://nysd.uscourts.gov/hon-jesse-m-furman>. Unless and until the Court orders otherwise, the deadlines listed in the current Case Management Plan will apply to the parties in 19-CV-11895.

The Clerk of the Court is directed to consolidate these cases under the lead case, Docket No. 19-CV-11895, and to close 21-CV-4757.

SO ORDERED.

Dated: July 14, 2021  
New York, New York

  
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JESSE M. FURMAN  
United States District Judge